

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

3 || MALIQUE GREEN,

4 || Petitioner,

2:14-cv-01630-GMN-PAL

5 | VS.

6 || ATTORNEY GENERAL *et al.*

ORDER

7 || Page

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2. *Constitutive and regulatory genes*

In this habeas corpus action, in an order entered May 13, 2015, the court ordered the petitioner, Malique Green, to show cause, within 30 days, why the court should not dismiss his action. *See Order entered May 13, 2015 (ECF No. 2).* The court explained that there is no indication in Green's habeas petition that he is currently in custody on the conviction and sentence he challenges, and that, therefore, this court lacks jurisdiction. *See id.* The court also explained that it appears that Green has not exhausted available state-court remedies. *See id.* The court granted Green an opportunity to show cause why this action should not be dismissed for those reasons. *See id.* The court stated that if Green failed, within the time allowed, to make a *prima facie* showing that he is still in custody on the conviction and sentence he challenges in this case, and that he has exhausted, in state court, one or more of the claims he asserts in his petition in this action, this case will be dismissed. Green did not respond to the order to show cause.

21 On May 22, 2015, the copy of the May 13 order sent to Green was returned to this court
22 undelivered (ECF No. 4). It appears that Green has not kept the court informed of his current
23 address, as required by LSR 2-2.

24 Therefore, the court will dismiss this action, without prejudice, for the following reasons:
25 (1) there is no indication in the habeas petition that the petitioner is currently in custody on the
26 conviction and sentence he challenges, and this court, therefore, lacks jurisdiction; (2) the petitioner

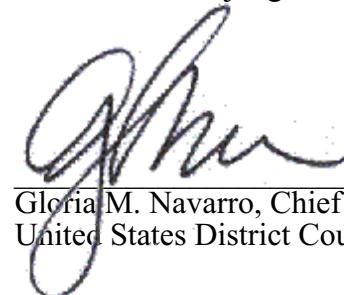
1 has not exhausted available state-court remedies with respect to any of his claims; and (3) the
2 petitioner has not kept the court informed of his current address as required by LSR 2-2.

3 **IT IS THEREFORE ORDERED** that this case is dismissed without prejudice.

4 **IT IS FURTHER ORDERED** that the petitioner is denied a certificate of appealability.

5 **IT IS FURTHER ORDERED** that the clerk of the court shall enter judgment accordingly.

6 **DATED** this 15th day of June, 2015.



Gloria M. Navarro, Chief Judge
United States District Court

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